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BAKER BOTTS L.L.P.
44TH FLOOR
30 ROCKEFELLER PLAZA
NEW YORK NY 10112-4498

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OFFICE OF PETITIONS

In re Application of :
Ramadan et al. : DECISION ON
Application No. 09/838,862 : PETITION
Filed: April 20, 2001 :
Atty Docket No. A32562-070050.:
1370 :

This is a decision on the PETITION TO ACCEPT SIGNATURE OF JOINT INVENTORS ON BEHALF OF NON-SIGNING INVENTOR UNDER 37 C.F.R. § 1.183 AND STATEMENT UNDER 37 C.F.R. § 1.47, filed September 14, 2006 (certificate of mailing dated Monday, September 11, 2006). This petition is properly treated as a petition under § 1.183 for acceptance of a supplemental declaration without the signatures of all inventors as required by § 1.67.

The petition is **GRANTED**.

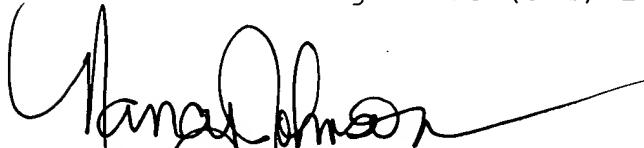
On March 9, 2006, the Office mailed a non-final Office action, which required applicants to file a substitute oath or declaration. This Notice set a three-month shortened statutory period for reply, with extensions of time obtainable under § 1.136(a).

In response, applicants filed a supplemental declaration executed by joint inventors Richard Osgood and Robert Scarmozzino on behalf of themselves and on behalf of joint inventor Tarek Ramadan; and the instant petition for acceptance of the declaration. This response was made timely by an accompanying petition (and fee) for extension of time for response within the third month. By declaration of patent paralegal Kristina Levites petitioners have shown that inventor Ramadan is "unavailable" to execute the supplemental

declaration. Joint inventor Ramadan signed the original declaration. However, efforts to reach the inventor to sign the supplemental declaration at his last known address in Egypt were unsuccessful. The petition also includes the petition fee and a statement of the last known address of inventor Ramadan.

In view of the foregoing, it is concluded that waiver of the requirement that the supplemental declaration be signed by all of the joint inventors is appropriate.

Telephone inquiries regarding this decision should be directed to the undersigned at (571) 272-3219.



Nancy Johnson
Senior Petitions Attorney
Office of Petitions